

ENTERED

May 30, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

RICHARD O. GONZALES, JR.,

Plaintiff,

VS.

CHIEF SINTON POLICE
DEPARTMENT/OFFICERS, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00001

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**


On May 8, 2024, United States Magistrate Judge Mitchel Neurock issued his “Memorandum and Recommendation of United States Magistrate Judge” (D.E. 11), performing an initial screening of Plaintiff’s complaint and recommending that certain claims be retained and other claims be dismissed. *See* Prison Litigation Reform Act, 42 U.S.C. § 1997(e)(c); 28 U.S.C. § 1915A. Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and

recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's memorandum and recommendation (D.E. 11), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the Court **RETAINS** Plaintiff's claims of excessive force against Officers Rodriguez and Hernandez in their individual capacities. The Court **DISMISSES** all of Plaintiff's other claims.

ORDERED on May 30, 2024.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE